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Attorneys for Defendants Bayview Loan Servicing, LLC, Sables, LLC, and The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificateholders of CWMBS, Inc., CHL Mortgage Pass-Through Trust 2005-J2, Mortgage Pass-Through Certificates, Series 2005-J2

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DENNIS TOBLER; CINDI F. TOBLER,

Plaintiffs,

v.

SABLES, LLC, a Nevada limited liability company; BAYVIEW LOAN SERVICING, LLC, a Florida limited liability company; THE BANK OF NEW YORK MELLON, a New York corporation; DOES I through X, inclusive; and ROE ENTITIES XI through XX, inclusive,

Defendants.

Case No.: 2:18-cv-2220-JCM-CWH

**STIPULATION AND ORDER
REGARDING MOTION FOR
TRO/PRELIMINARY INJUNCTION
[ECF NO. 9, 10]**

Defendants Bayview Loan Servicing, LLC (**Bayview**), The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificateholders of CWMBS, Inc., CHL Mortgage Pass-Through Trust 2005-J2, Mortgage Pass-Through Certificates, Series 2005-J2 (**BoNYM**)¹, and Sables, LLC, and Plaintiffs Dennis and Cindi Tobler, stipulate that the motion for temporary

¹ Improperly named in the complaint only as The Bank of New York Mellon.

1 restraining order/preliminary injunction, ECF Nos. 9, 10, no longer needs to be heard on an
2 emergency basis.

3 Bayview is continuing the foreclosure sale approximately 45 days.² Therefore, the parties
4 agree that Plaintiff's motion for TRO/Preliminary Injunction can be briefed in the ordinary course
5 pursuant to LR 7-2, to be heard before the continued foreclosure sale.

6 DATED this 21st day of December, 2018

7
8 **AKERMAN LLP**

9 /s/ Jamie K. Combs
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16 *and The Bank of New York Mellon,*
17 *fka The Bank of New York, as Trustee*
for the Certificateholders of CWMBS,
Inc., CHL Mortgage Pass-Through
Trust 2005-J2, Mortgage Pass-
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18
19 **ORDER**

20
21 **IT IS SO ORDERED.**

22 *James C. Mahan*
UNITED STATES DISTRICT JUDGE

23 DATED: December 26, 2018
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28 ² Counsel for Bayview has not yet received the continued sale date, but estimates that it will be set near the beginning of February 2019.